

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Honorable Dale E. Ho
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

In light of the Court's dismissal of this action, see ECF No. 29, these requests are denied as moot.

SO ORDERED.

JOHN DOE,
Plaintiff,



Dale E. Ho
United States District Judge
Dated: September 12, 2024
New York, New York

v.

NEEL KACHALIA, et al.,
Defendants.

Case No. 23-cv-10395 (DEH)

LETTER REQUESTING URGENT ORDER FOR SERVICE BY U.S. MARSHALS

September 11, 2024

Dear Judge Ho,

I write to urgently request that the Court issue an order directing the U.S. Marshals Service to effect service on Defendant Neel Kachalia in Doe v. Kachalia, No. 23-cv-10395, due to Columbia University's ongoing interference and delay tactics that have prevented service for over ten months.

I. Background and Need for Urgent Action

Despite my diligent efforts to serve Mr. Kachalia, Columbia University has engaged in motion practice and misrepresentations that have obstructed the service process. Mr. Kachalia remains an active student at Columbia, yet Columbia's actions have shielded him from accountability and delayed the progression of this case.

II. Legal Basis for Court-Ordered Service

The Court has the authority to direct the U.S. Marshals to serve a defendant when a plaintiff is unable to effect service due to circumstances beyond their control. See *Fed. R. Civ. P. 4(c)(3)* ("At the plaintiff's request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court."); *Ruddock v. Reno*, 104 F.3d

354, 356 (2d Cir. 1996) (affirming district court's order directing U.S. Marshals to effect service where plaintiff faced obstacles in serving defendant).

In this case, Columbia's interference has created significant obstacles to serving Mr. Kachalia, necessitating the Court's intervention to ensure that service is completed and the case can proceed. The U.S. Marshals Service is equipped to effect service in situations where a defendant's location is known but service has been obstructed by third parties.

III. Urgency and Potential Harm

The continued presence of Mr. Kachalia on Columbia's campus pursuing another degree poses an ongoing risk of harm to myself and other students. His ability to evade service has exacerbated my emotional distress and delayed the resolution of my claims. Immediate action is necessary to protect my rights and ensure a fair and timely adjudication of this case.

IV. Request for Relief

In light of the foregoing, I respectfully request that the Court:

1. Issue an order directing the U.S. Marshals Service to effect service on Defendant Neel Kachalia at Columbia University.
2. Schedule a hearing to address any additional issues related to service and the progression of this case.

Thank you for your prompt attention to this critical matter. I am available to provide any additional information that may assist the Court.

Respectfully submitted,

/s/ John Doe
John Doe
Plaintiff Pro Se